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**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

CG ENTERPRISES HOLDINGS, LLC, a  
 California limited liability company; and  
 STEPHEN M. COON, an individual;

Plaintiff,

vs.

WSP USA, INC., a New York corporation;  
 WSP USA BUILDINGS, INC., a New York  
 corporation; kW MISSION CRITICAL  
 ENGINEERING, D.P.C., a New York design  
 professional corporation; and DOES 1  
 through 20, inclusive,

Defendants.

) Case No. 3:24-cv-00292-VC

) [Removed from Sonoma County Superior Court  
 Case No.: 24CV00024]

) **JOINT MOTION AND STIPULATION  
 FOR LEAVE TO FILE OVERSIZED  
 BRIEF**

1 Defendants WSP USA, Inc. and WSP USA Buildings Inc. (“WSP”) and Plaintiffs CG  
2 Enterprises Holdings, LLC and Stephen Coon, by and through undersigned counsel, hereby  
3 stipulate to the following pursuant to Local Rules 7-11 and 7-12:

4 1. This action relates to a dispute that has spanned three separate jurisdictions,  
5 including this Court, the Northern District of New York, and a AAA arbitration in New York.

6 2. On February 2, 2024, WSP moved to dismiss Plaintiffs CG Enterprises Holdings,  
7 LLC and Stephen Coon’s claims under §§ 16600 and 17200, pursuant to Federal Rule of Civil  
8 Procedure 12(b).

9 3. Pursuant to a stipulation submitted by the Parties (Doc. No. 22), the Memorandum  
10 in support of WSP’s Motion included twenty-two (22) pages of substantive argument.

11 4. In its Motion, WSP raises several grounds for dismissal, including lack of  
12 jurisdiction under the Federal Arbitration Act, lack of personal jurisdiction, improper venue, and  
13 failure to state a claim.

14 5. WSP also included in its Motion a request to transfer this action to the Southern  
15 District of New York under § 1404(a), rather than file a separate motion on that issue.

16 6. On February 16, 2024, Plaintiffs responded to WSP’s Motion.

17 7. Pursuant to the Parties’ earlier stipulation, Plaintiffs’ Response included twenty-one  
18 (21) pages of substantive argument.

19 8. In their Reply in support of their Motion for a TRO, Plaintiffs also made an  
20 additional legal argument that was relevant to that Motion but that also bears directly on WSP’s  
21 Motion to Dismiss.<sup>1</sup>

22 9. Given the number and complexity of the issues involved, the Parties agree that WSP  
23 should be granted leave to file an oversized Reply brief (attached hereto as **Exhibit A**) no longer  
24 than fifteen (15) pages.

25  
26 <sup>1</sup> To be clear, WSP does not contend that Plaintiffs’ inclusion of that argument in their Reply  
27 was improper, and WSP wishes to address that argument only to the extent that it bears directly on  
28 WSP’s Motion to Dismiss—not to raise new objection to the propriety of Plaintiffs’ requested TRO  
that WSP did not already raise in its Opposition to Plaintiffs’ Motion.

1           10. To the extent the Court denies this request, WSP requests that it be provided a  
2 reasonable extension of time to revise its existing Reply so that it complies with any other page-  
3 limitation the Court believes would be appropriate under these circumstances.

4 Dated: February 23, 2024

HOLLAND & KNIGHT LLP

5  
6 By: /s/ Samuel J. Stone

7 Attorney for Defendants

8 WSP USA, INC., WSP USA BUILDINGS INC., and  
9 kW MISSION CRITICAL ENGINEERING, D.P.C.

**CERTIFICATE OF SERVICE**

I, Sam Stone, hereby certify that on February 23, 2024, I caused the foregoing Joint Motion and Stipulation for Leave to File an Oversized Brief to be served on all Parties in this action by filing it on this Court's CM/ECF system.

/s/ Sam Stone

Sam Stone

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